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ABSTRACT

This document contains a summary table of the statutes, amendments, and constitutional provisions in the 50 states forming the legal bases for the establishment of educational corporations and private postsecondary institutions. The major portion of the legal bases concern 2- and 4-year degree-granting institutions and nonprofit corporations. The summary table includes 12 areas of concern and, because of the number and lengths of these areas, has been divided into 2 parts as follows: Part 1 contains (1) provisions for the incorporation or chartering of corporations and/or institutions; (2) provisions concerning licensure, accreditation, certification, or permission at the state level; (3) descriptions of the types of postsecondary institutions included in the statutory provisions; (4) provisions for restricting or prohibiting certain titles such as college or university; (5) regulation or authorization for the granting of degrees; and (6) provisions for the development and maintenance of standards, rules, and regulations; Part 2 contains: (7) provisions for certain financial requirements before a corporation or institution is chartered, established, or operated; (8) provisions for evaluations, review, investigations, etc.; (9) provisions covering out-of-state schools for operation in another state or correspondence courses; (10) any penalties or descriptions of offenses or violations of statutes; (11) institutions or areas excepted from the statute cited; and (12) miscellaneous areas of concern. (Author/HS)

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OFFICE OF EDUCATION
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This issue of *Higher Education in the States* contains a summary table of the statutes, amendments, and constitutional provisions in the 50 states forming the legal bases for the establishment of educational corporations and private postsecondary institutions. The major portion of the legal bases concern two- and four-year degree-granting institutions and nonprofit corporations. For the convenience of the reader and user, the table has been divided into two parts, as described below. Part One begins on page 66 and Part Two on page 98.

In 1970, the North Central Association of Colleges and Secondary Schools published an article in its *Quarterly* (Vol. XLIV, No. 3, Winter 1970) by Dr. Robert L. Williams, Administrative Dean of the University of Michigan. In his article, "Legal Bases for Establishment of Private Institutions of Higher Education", Dr. Williams analyzed the statutes from each of the 50 states providing the conditions to be met before a charter or articles of incorporation could be issued. At the present time, the Education Commission of the States is considering forming a task force or advisory committee to study this area and possibly develop sample legislation for approving new postsecondary institutions and authorizing the granting of degrees. We are grateful to Dr. Williams for his generosity in lending us the legislative statutes used for his report. These statutes were very helpful in preparing the summary table on the following pages. The table will provide initial background material for the proposed task force, together with any legislation not included which we are hopeful will be brought to our attention, particularly in the area of proprietary and correspondence types of institutions.

The summary table includes twelve areas of concern and, because of the number and lengths of these areas, has been divided into two parts as follows:

PART ONE (pages 66-97): Cited below each state's name are the statutes from which the information is derived. The six areas in this part are: (1) provisions for the incorporation or chartering of corporations and/or institutions, (2) provisions concerning licensure, accreditation, certification, or permission at the state level, (3) descriptions of the types of postsecondary institutions included in the statutory provisions; (4) provisions for restricting or prohibiting certain titles such as "college" or "university"; (5) regulation or authorization for the granting of degrees; and (6) provisions for the development and maintenance of standards, rules, and regulations.

PART TWO (pages 98-119): The areas included in columns seven through twelve are: (7) provisions for certain financial requirements before corporation or institution is chartered, established, or operated; (8) provisions for evaluations, review, investigations, and the like; (9) provisions, if any, covering out-of-state schools for operation in another state or correspondence courses; (10) any penalties or description of offenses or violations of statutes; (11) institutions or areas excepted or exempted from the statute cited; and (12) miscellaneous areas of concern.

LEGAL BASES FOR ESTABLISHMENT AND REGULATION OF PRIVATE INSTITUTIONS AND CORPORATIONS – PART I

STATE	*(1) Incorporation/ Chartering*	*(2) Licensing/ Accrediting*	*(3) Types of Institution*	*(4) Restriction of Use of Titles*	*(5) Degrees/ Programs*	*(6) Standards/Rules and Regulations*
ALABAMA						
Code of Alabama Title 10, Art. 3-4, Sec. 124-138 (1959, Vol. 4)	Any state, sectional, or national church convention/organization may establish educational corporation by (a) adopting resolution of intent (b) electing 3 to 24 trustees; (c) filing certificate with county probate judge.	N.P.	Educational corporation may establish school, college, university, etc.	N.P.	N.P.	Such educational corporations free and independent of control, unless provided by deed or vote.
Senate Bill 40 (Approved Dec. 1971)	N.P.	Permit for operation must be secured from State Dept. of Ed. Separate permits for each location required. Fee of $250 and surety bond required. Permits valid 1 year. Persons soliciting students must obtain a permit. Fee, $50 plus surety bond. Valid 1 year.	Statute covers any person, group, institution, organization, etc., offering educational instruction in person, by mail, or otherwise.	N.P.	Courses approved under standards set by State Dept. of Education.	Standards set forth in statute must be complied with before permit is issued. State Dept. of Ed. decides quality and content. Rules and regulations adopted by State Board of Education.
ALASKA						
Alaska Statutes, Title 14, Sec. 14.47.010—14. 47.140 (1966)	N.P.	N.P.	N.P.	State Commissioner of Ed. must approve use of title "college, university, junior college, or community college."	Requirements established by State Dept. of Ed. must be met before conferring diplomas or degrees for study beyond high school.	(See column 5 re diplomas and degrees) State Comm. of Ed. establishes standards for use of title of institution.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
Alaska Statutes, Title 10, Sec. 10.20.005—10. 20. 620 (1968)	Provides for articles of incorporation for educational purposes, and for powers and name of such corporations. 3 or more persons over 19 years old may act as incorporators. $25 fee. Approval by commissioner of commerce.	N.P.	N.P.	Corporate name may not indicate or imply purpose other than that specified in articles of incorporation.	N.P.	N.P.
ARIZONA						
Arizona Revised Statutes Annotated Sec. 10-451-10-456, Vol. 3 (1956)	Provides for articles of incorporation for nonprofit and for powers of corporation. Filing fee $10. (Educational corporations not specified.)	N.P.	N.P.	N.P.	N.P.	N.P.
1967 Cumulative Pocket Part, Vol. 3	Exempts nonprofit corporations, including educational, from limitation of number of directors elected.					
ARKANSAS						
Arkansas Statutes Annotated, Sec. 64-1401-64-1415, Vol. 6 (1966 Replacement)	Not less than 6 or more than 33 persons (multiples of 3) required for incorporation of educational institutions. Purpose must be specified in articles of association. Provides for election of officers and trustees and powers. Chartered by State Board of Ed.	N.P.	Applies to all institutions chartered at time of cited statute.	Cannot use same name as other institution in state. Change of name after chartered must be approved by State Board of Education.	All incorporated institutions may confer degrees or diplomas except for correspondence courses or to students not in residence one year. Restricts honorary degrees. Academies and seminaries may issue only certificates.	Courses and degree programs must meet standards of similiar institutions.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Program	(6) Standards/Rules and Regulations
ARKANSAS (continued)	Filed with Sec. of State. Filing fee, $15. Change of charter provisions approved by State Board of Ed.					
CALIFORNIA West's Annotated California Code, Vol. 28-A, Sec. 29001-29007 (1960)	Provides for incorporation for institutions offering education beyond high school and conferring a diploma [degree] and for articles of incorporation.	Revised. See 1968 Cumulative Pocket Part.	Seminaries of learning, specialized educational institutions, junior colleges, colleges, and universities offering post-high school courses may be incorporated.	N.P.	Definitions of and requirements for granting degrees revised. See 1968 Cumulative Pocket Part. Honorary degrees prohibited unless clearly marked as such.	N.P.
1967 and 1968 Cumulative Pocket Part (sections amended between 1960 and 1967 not available)		See requirement (1) re degrees (Col. 5)			Defines "degree" and "diploma" as related to completion of requirements of a post-high school course of study. Degrees may be awarded upon completion of one of three requirements: 1) Course is accredited regionally or nationally; 2) specified degree is approved by Superintendent of Public Instruction (see Col. 6 for criteria) such approval granted on annual basis; or 3) institution states through affidavit to Superintendent that fair market value of institution's real and personal property is	Degrees approved by Superintendent of Public Instruction (see requirement (2) column 5) based on determination of adequacy of the course's facilities, faculty, and curriculum compared with standards of an accrediting agency and on provisions of the Government Code.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
					not less than $50,000. Diplomas must also meet requirements (1) or (2) above or be (3) a licensed hospital; (4) a state accredited vocational school; or (5) a state accredited teacher training institution. All other courses not meeting above requirements must be approved by Superintendent of Public Instruction. Applications for approval of degrees or programs by State Superintendent, $100, renewal, $50.00.	
COLORADO						
Colorado Revised Statutes, Chap. 31, Art. 20, Sec. 31-20-1-31-20-7 (Vol. 2, 1963, Art. 20-1 revised 1967)	Religious, educational, benevolent organizations may incorporate; filed with Secretary of State; filing fee, $2.50. Such corporations may maintain colleges or universities under control of a board of trustees.	N.P.	Grade of college or university.	N.P.	Any corporation maintaining post-secondary institutions under state laws may confer degrees or diplomas conferred by other institutions of like grade.	N.P.
Colorado Revised Statutes, Chap. 31, Art. 24, Sec. 31-24-1-31-24-110 (Vol. 10, 1967)	Provides for articles of incorporation for nonprofit corporations and general powers; one or more persons may incorporate; filed with Secretary of State, Filing fee $10.	N.P.	N.P.	N.P.	N.P.	N.P.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
COLORADO (Continued)						
Colorado Revised Statutes, Chap. 124, Art. 21, 1965. (degree regulation)	N.P.	N.P.	Institutions not covered by exemptions noted in Col. 11, page 100.	N.P.	No person, group, corporation, association, etc., not included in those described in Col. 11, page 100, may award or confer an academic or honorary degree (aa, ba, ma, or ph.d).	State Department of Education charged with administering statute.
Colorado Revised Statutes, Chap. 146, Art. 3, 1966, amended 1967 (proprietary schools)		Agents must obtain permits to solicit students for a proprietary school. Fee of $5 and surety bond. Operation of proprietary schools requires certificate of approval by State Board for Community Colleges & Occupational Ed. Fee, $25 and surety bond. Valid 1 year. State Board (Col. 6) determines whether proprietary schools should be accredited and accredits.	Proprietary Schools: business enterprise, profit or nonprofit, offering educational instruction in trade, technical, business, or industrial occupations not included in Col. ll, page	N.P.	Quality and content of courses must meet standards set in statute. Certificates must be awarded students upon satisfactory completion of program.	Permits, standards, regulations responsibility of State Board for Community Colleges and Occupational Ed. Minimum standards as stated in statute are determined by State Board.
CONNECTICUT						
Connecticut General Statutes Annotated, Vol. 5A, Sec. 10-330 10-331, 1967 (Sec. 10-330(d) amended 1968)	N.P.	Licensure and accreditation by Commission for Higher Education required for operation of a higher learning program or institution. The Commission may	Program of higher learning defined as college or university level credit.	The terms junior college, college, or university or any other title suggesting higher learning in any way until licensed and accredited. (Col. 2)	No person, school board, association, or corporation shall confer any degree unless authorized by legislature upon evaluation and approval by Commision for Higher Ed.	Commission for Higher Education establishes regulations for requirements for licensure and accreditation.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
		accept regional or national accreditation where appropriate.			No degrees may be conferred unless accreditation is granted under Col. 2. Programs may not be offered until approved by Commission. Those granted authority to grant degrees prior to 1935 and which did not exercise authority prior to 1935 must be reexamined by the Commission.	
DELAWARE Delaware Code, Title 8, General Corporation Law, as amended by Senate Bill 123, 1967 Laws.	Provides for incorporation or chartering of corporations, defines powers and articles of incorporation. Note: No specific reference to educational corporations or institutions other than renewal of incorporation or charter when found void.	N.P.	N.P.	N.P.	N.P.	N.P.
FLORIDA Florida Statutes Annotated, 1968 Cumulative Pocket Part, Vol. 18, Sec. 617.01—617.021	Provides for incorporation by any 3 or more persons of a nonprofit corporation, for articles of incorporation, and powers. Filed with Secretary of State; filing fee, $25. Note: No specific reference in statute to education.	N.P.	N.P.	N.P.	N.P.	N.P.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
FLORIDA (continued) Florida Statutes, Chap. 246, Sec. 246.011—246.141 (1971, amended in House Bill 3117, 1972)	N.P.	No nonpublic college may continue operation or be established after Jan. 1, 1972 until licensed by the State Board of Independent Colleges & Univ. Agents soliciting students must be licensed from same board. All permits valid 1 year; license fee $100 for college, $10 for instate agents, $25 for out-of-state agents. Licenses not to be considered as accreditation for purpose of state tax exemption. State Board may license any college excluded from this chapter but voluntarily applying for license.	Nonpublic institute, college, university, junior college, or entity furnishing a degree or instruction leading to a post-secondary degree or diploma—recipients studying in person or by correspondence.	Use of title "college" or "university" restricted to degree-granting institutions as defined by law or as licensed under this chapter, or those using title prior to Apr. 1, 1970.	See Col. 4 re restriction of use of titles and Col. 3 re types of institution.	State Board of Independent Colleges & Universities established to: administer statute; develop rules and regulations; develop minimum standards. Standards, rules and regulations to be adopted by State Board of Ed. for execution by State Board of Independent Colleges & Universities.
GEORGIA Georgia Code annotated, 1968 special supplement, Title 22, Sec. 22-2201-22-2702; 22-3301	Provides for organization of nonprofit corporations for any lawful purpose including educational; for articles of incorporation; and for powers. One or more persons over 21 years may incorporate. Filed with Secretary of State; filing fee, $15.	N.P.		N.P.		

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
Sec. 22-5501-22-5512	The incorporation of any educational nonprofit institution is applied to this section as provided in Col. 1 above, corporate rights defined.		Any nonprofit school, academy, college, or university.		Any eleemosynary or religious corporation charted in state authorized to conduct schools for training youth.	All contracts made with such educational corporations are legal and valid; such corporations may administer charitable trusts.
Sec. 32-415, 1952, Book 11,	Requirements of State Board of Ed. must be met before charter is granted educational institutions. Certificate is issued by Board indicating requirements have been met.		Universities, college, normal or professional schools.		Degrees or diplomas may not be conferred until charter is granted.	State Board of Ed. prescribes, by regulation, standard requirements for institutions conferring degrees or diplomas.
HAWAII Revised Laws of Hawaii, Title 23, Sec. 172-1-172-23. (1955, Vol II, revised, 1965 supplement, pp. 794-803.	Corporations for profit may be organized for any purpose. Nonprofit corporations are eligible to establish for any purpose, except activities for purpose. Incorporation by 3 or more persons. Provides for articles of incorporation and powers. Note: No specific reference in statute to educational corporations or institutions.	N.P.	N.P.	N.P.	N.P.	N.P.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
IDAHO						
Idaho Code, Chap. 39, Sec. 33-3901-33-3910, Vol. 6-A, 1963 (revised Sec. 33-3903, 1967 Cumulative Pocket Supplement)	Provides that 5 or more persons may incorporate to establish an institution of learning as provided by law for private corporations, for articles of incorporation, amendment and powers. Filed with Secretary of State. No corporation (as defined above) for private gain shall ever be incorporated or remain in existence.	N.P.	College, seminary, or other institution of learning.	N.P.	Directors (trustees) may prescribe courses of study and discipline and may grant academic and honorary degrees and diplomas as are granted in like institutions.	Authorizes for 5 to 40 directors or trustees elected who shall have control of the corporation and who appoint and fix salaries of administrators and faculty. No religious test shall be required for admission.
ILLINOIS						
Smith-Hurd Illinois Annotated Statutes, Chap. 144, Sec. 1-17, 231-242, 1964.	Only corporations established under general state laws for the purpose of establishing an institution of learning may hold or sell property. Such corporations incorporated under special law may reincorporate under state nonprofit corporation law. Whenever property is bequeathed or otherwise granted for purpose of establishing an educational institution, trustees may form a nonprofit corporation with Sec. of State together with name of proposed institution.	N.P.	Any university, college, academy, or other institution of learning. Degree-granting institution: any entity furnishing instruction leading to a postsecondary degree or diploma. Recipient must have studied in person.	N.P.	Governing board prescribes courses of study and may grant honorary and academic degrees pursuant to Sec. 231-242 of this statute: A degree, diploma, or certificate must be awarded only by a degree-granting institution as defined in Col. 3. Such institutions may also award honorary degrees. Institutions not in operation as of 1961-62 cannot award any degrees, etc. until one year after it has filed notice and received authorization and approval of the Superintendent of	Governing board has control and management of institution and appoints and fixes salaries of administrators and faculty; 3 members must be state residents. Law provides for an Advisory Council on Degree Granting Institutions and that no rule or regulation promulgated by Superintendent of Public Instruction under this Act shall be effective until approved by such Council.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
					Public Instruction. Institutions in operation as of 1961-62 had 180 days after enactment of act to fill notice. Upon approval, one year period is waived. No degree or diploma not contained in original notice or approved amendments. Institutions not conducting instruction in residence may also be approved by the Superintendent as described above.	
INDIANA Burn's Indiana Statutes, Chap. 32, Sec. 25-3201-25-3245 (1960)	Any number of persons desiring to establish an institution of learning file a statement of organization for incorporation. Provides for powers and election of trustees. Certificate of change of character of institution must also be filed. Churches covered by statute as described above. 5 or more persons may incorporate to establish an educational institution; said corporations may hold or sell real or personal property and may have capital stock.	N.P.	High school, academy, college, university, theological institute or missionary board. Upon adoption of resolution by trustees and filing of same, institution may change name.	N.P.	Colleges and universities incorporated under this act may establish departments and programs and confer degrees appropriate to such institutions.	Corporation may establish rules and by-laws.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
INDIANA (Continued) Public Law 313, Amendment to Indiana Code 1971, 20-1; adds new chap. 19, sec. 1-23 (Chap. 19 amended by House Enrolled Act 1149, 1971)	N.P.	On or after July 1, 1972, no person may do business as a private school in Indiana without accredition. Application for accreditation filed with Commission (Col. 6). Content of application specified. Surety bond required. Application processing and evaluation fee, $100. After approving, Commission issues accreditation (fee $25); renewable each year on June 30; renewal fee, $25 (See Col. 12, Page 103) re acceptance of out-of-state accreditation and reciprocity). Agents soliciting students must obtain permit; fee $10 and surety bond; valid 1 year.	Private school: any person doing business by offering to public for tuition, fees, or charges instructional or educational or technical training, at home, at a designated location, or by mail.	N.P.	N.P.	Creates the Indiana Private School Accrediting Commission and specifies membership. The Commission adopts rules and regulations to implement statute. Minimum standards for accreditation stated in statute.
IOWA Iowa Code Annotated Chap. 504, Sec. 504-1-504.25 (1949; amended in 1968 Cumulative Pocket Part, Vol. 28)	Any 3 or more persons of full age may incorporate to establish nonprofit colleges, seminaries, lyceums by adopting articles of incorporation and filing with Sec. of State. Filing fee, $5. Provides for powers. Nonprofit corporations existing prior to July,	N.P.	Colleges, seminaries, lyceums	N.P.	Any corporation of an academic nature may confer degrees usually conferred by such an institution. Minimum of one academic year of resident work by recipients required before academic degree may be awarded. Work at out-of-state institutions may be considered as	N.P.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
	1943. May reincorporate under statute. (Also Sec. 504A. 1-504A-101, 1965. Nonprofit Corporation Act; no specific reference to educational corporations)				residential year when non-Iowa institutions are merged with an Iowa institution.	
KANSAS Kansas Annotated Statutes, Vol. 2, Art. 14, Sec. 17-1401—17-1407, 1964		N.P.	Academy, college, university.	N.P.	Directors may confer degrees.	The president and faculty have power to enforce rules and regulations enacted by directors. Directors have power to make by-laws, elect officers, hire faculty, and fix salaries.
Sec. 17-2701 (1968 Cumulative Pocket Part Supplement)	3 or more persons may establish a corporation for conduct of lawful business or purpose.					
Sec. 17-2901-17-2904-17-3001-17-3009-17-3103-17-3108 (1964)	To obtain charter for nonprofit corporations, articles of incorporation filed with Sec. of State. Provides for powers.					
KENTUCKY Kentucky Revised Statutes, Vol. II, Chap. 273, Sec. 273.070,273.080,273.161-273.273 (1968 Supplement)	Nonprofit corporation may be organized for any lawful purpose including educational. Provides for general	N.P.	N.P.	N.P.	N.P.	Bylaws, including provisions of regulation and management, to be adopted by board of directors.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
KENTUCKY (Continued)	powers, articles of incorporation, and election of directors. One or more persons may incorporate; filed with Sec. of State.					
Senate Bill 315 (Enacted; effective June 16, 1972)		All colleges except those excluded (Col. 11, Page 105) are required to hold a license issued by Superintendent of Public Instruction. Colleges in operation on date of Act may continue to operate until license is issued or denied. New branches, divisions, or additions to existing institutions must be licensed.	College defined as: Institute, junior college, college, university or entity awarding a degree or diploma, etc. for postsecondary education.	Use of title "college" or "university" restricted to institutions licensed under this Act and those in operation on date of Act.	N.P.	On recommendation of the Council on Public Higher Educ., the State Board of Ed. by regulation shall adopt standards and procedures for licensing of colleges.
LOUISIANA Louisiana Revised Statutes, Vol. 13 and 13A, Sec. 17: 2051-2052; 17: 411; 17:20 (1963)	Attorney General Opinion, 1-10-66: (see Col. 12, Page 105). Charter is not necessary to qualify as a private or parochial institution which may ultimately confer a liberal arts degree; however in order to confer such a degree, State Board of Ed. should authorize assuming it is a new institution, or	State Board of Ed. has authority to approve private schools and colleges whose sustained curriculum is of a grade equal to that for similar public institutions.	Private schools and colleges.	N.P.	Governing authorities of institutions offering study extending 4 years of not fewer than 180 school days above and beyond high school, authorized to confer bachelor of arts or science degree. After July 20, 1900, those granted the right to confer academic degrees shall continue to do so.	The State Board of Ed. shall prescribe the qualifications for the certification of teachers of elementary, secondary, trade, normal, and collegiate schools. State Superintendent of Ed. whenever required, shall give advice, instructions, etc. on all questions related to laws and management of education.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
	an out-of-state institution beginning operation in state.				(see also Attorney General, Col. 1). Certificates or degrees issued by private institutions approved under Col. 2 shall carry the same privileges as those issued by public institutions.	
MAINE Maine Revised Statutes Annotated, 1968-69 Cumulative Pocket Supplement, Vol. 11, Chap. 301, Sec. 20:2202-20: 2204.	N.P.	Any postsecondary institution seeking authority to grant any type of degree must apply to Sec. of State not later than May 1 preceding each legislative session. Sec. of State notifies State Board of Ed. whose duty is to obtain full information re the merit of the institution to confer degree (see Col. 6). When legislature is not in session, State Board of Ed. grants a certificate of temporary approval and permits use of title as noted in Col. 4, until the end of academic year in which next regular session of legislature convenes.	Any postsecondary institution.	No school board, person, association, or corporation shall use in any way term "junior college," "college," or "university," or any other title tending to designate it has power to grant degrees unless 1) authority to do so has been granted under this law; 2) temporary approval has been given; or 3) title was in use prior to 1-1-57.	No person, partnership, institution, or corporation shall confer any type of degree unless expressly authorized by legislative act. (see Col. 2).	State Board of Ed. shall seek advice of Higher Ed. Council in establishing and using standards commonly accepted in nationally accredited institutions. Board to prepare a report for legislature on adequacy of institution, and deliver to Sec. of State 10 days before convening of legislature. Board to establish, on advice of Higher Ed. Council, regulations concerning requirements for licensure and temporary approval.

* N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
MARYLAND Annotated Code of Maryland, Art. 77, Chap. 3, Sec. 25 (b-e), 25A; Chap. 32-33, Sec. 305-314 (Vol. 7, 1965); 1967 Cumulative Supplement, Sec. 25(a)	N.P.	After 1-1-48, every private institution which charges tuition or fees as described in Col. 3 must secure a certificate of approval from State Superintendent of Ed. before it may continue or begin to operate in state. National or regional accreditation accepted in lieu of written notices for approval. Solicitors for non-public school in or out of state must apply annually for permits to State Superintendent . Fee, $5 and surety bond. Permits may be revoked for cause.	Every private institution offering programs (including elementary/secondary) of college, professional, trade, industrial or technical education. Degree-granting institution: any institution or entity of whatever kind furnishing or offering instruction leading to a degree, diploma, certificate, etc. beyond high school.	N.P.	A degree or diploma may be awarded only by a degree-granting institution (Col 3 for description of such). Such institutions not in operation as of 6-1-61, cannot award any degree of diploma until one year after approval as noted in Col. 2. Any additional degrees must be approved as amended and cannot be awarded until one year after approval of amendment. One year waiting period not applicable to degrees awarded during 1961-62.	State Superintendent of Ed. to ascertain applicant's qualifications for approval and to issue rules and regulations to implement statute, 30 days written notice of such rules required.
MASSACHUSETTS General Laws of Massachusetts, Chap. 69, Sec. 30-31; Chap. 266, Sec. 89 (1965)	The State Secretary, before approving certificate of organization for proposed incorporation of a postsecondary institution with collegiate name and degree-granting authority, shall refer such to Board of Higher Ed. for review and approval. Existing	N.P.	College, junior college, university.	No proposed institution may use title "college", "junior college", or "university" until granted certificate of organization (Col. 1). Titles of existing institutions may not be changed without Board approval of articles of amendment (to charter).	No educational institution located within the state shall award degrees unless authorized to do so by the state. See Col. 1 re degree-granting authority for proposed institutions and change of degrees affecting charter of existing institutions.	Board of Higher Ed. establishes standards relative to facilities, physical plant, and leadership; and procedures to implement the general laws.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules ans Regulations
	institutions, incorporated as nonprofit, (Chap. 180), desiring to obtain or change degree authority not contained in charter or to change name should file articles of any amendment with state secretary who refers to Board for review and determination, see Col. 11, Page 106, for exception concerning new junior colleges.					
Chapter 74, Sec. 37A (1967)		If proper committees or boards of any industrial, technical, agricultural, or vocational school determine to expand offerings beyond high school level, plans must be submitted in writing to Board of Higher Ed. for approval.	See Col. 2	Upon approval (Col. 2), school may use title "technical institute".	Upon approval of plan, school may establish extended courses on a technical institute level. Subject to approval of State Board of Ed. and Board of Higher Ed., the degree of associate in applied science may be granted.	School, upon approval, must comply with standards and regulations set by Board of Higher Ed.
MICHIGAN						
Michigan Compiled Laws, Annotated; Chap. 450, Sec. 450.170-450.177 (Vol. 25, 1967)	3 or more persons may incorporate for the purpose of conducting an institution of learning. Educational corporations may be nonprofit, profit, or under trustee corporation.		Institution of learning: school, academy, seminary, college, etc. Educational Corporations controlled by any religious group or with capital as noted in Col. 7, Page 107. Term "college":	Title of "college" or "university" limited to corporations complying with requirements 1 or 3 in Col. 7, Page 107). Junior college title may be used by those meeting requirement 2.	No educational corporation may expand its program beyond that specified in articles of incorporation without prior approval from State Board of Ed. before filing for such change.	State Board of Ed. must ascertain that corporation meets requirements set forth in statute before incorporation. Control of corporation vested in board of directors or trustees,

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
MICHIGAN (Continued)	Latter two subject to this provision of this act and to Act. 148 as described below. State Board of Ed. must approve in written statement before corporation is authorized to file articles of incorporation. Articles to include educational system of institution founded, degrees, etc., to be granted and number and name of faculties.		preparatory schools and any postsecondary institution conferring degrees or honors.		Degrees and honors to be conferred must be approved by Board prior to filing articles of incorporation. Corporation with capital of $1 million or more may establish graduate programs.	including hiring and setting salaries of faculty and staff; fixing tuition, and prescribing courses and rules of discipline.
Compiled Laws of 1948, Vol. 2, Act. 148, 1943; Sec. 395.101-395. 103		All private trade schools and institutes operated for the purpose of teaching trades, occupations, or vocations must be licensed by the State Board of Ed.	See Col. 2; definition: such schools giving instruction for a consideration, reward, or promise.			State Board of Ed. approves school's advertising, standards, methods of instruction, and equipment.
MINNESOTA						
Minnesota Statutes Annotated, Chap. 317 Sec. 317.01-317.69 (1967 Cumulative Annual Pocket Part, Vol. 20)	A nonprofit corporation may be formed for any lawful purpose, including education, by 3 or more persons of full age. Articles of incorporation filed with Sec. of State, fee, $10.	N.P.	N.P.	N.P.	N.P.	N.P.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
Chap. 21, Sec. 121.18 (1960 Cumulative Pocket Part, Vol. 10)	N.P.	N.P.	N.P.	N.P.	Trustees of any incorporated college or seminary may prescribe courses and disciplines, award literary honors and degrees as are usual in similar institutions, and give suitable diplomas.	Trustees of incorporated colleges or seminaries may make all rules ordinances, and by-laws necessary and proper.
MISSISSIPPI Mississippi Code Annotated, Title 21, Sec. 5310.1, 5319-5324 (1966 Cumulative Supplement, Vol. 4A)	Schools, associations for the establishment of college scholarships on a long-term payment plan, and corporations for educational institutions may be incorporated on the application of any 3 state resident members for charter. Charter of incorporation must indicate nonprofit and non-share and be filed with Sec. of State. After attorney general's opinion (Col. 8, Page 108) governor approves charter.			N.P.		
Title 24, Art. 13, Sec. 6791.5 (1966 Cumulative Supplement, Vol. 5)		Creates Commission on College Accreditation.	Junior and senior colleges and universities.		All institutions of higher education not authorized to grant degrees as of June 6, 1964, must be approved by	Commission on College Accreditation shall prepare a list of approved institutions in state and adopt standards

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
MISSISSIPPI (Continued)					Commission (Col. 2) in order to grant diplomas of graduation or degrees.	for accreditation and receive reports from institutions seeking to be placed on approved list.
MISSOURI Vernon's Annotated Missouri Statute, Title 23, Sec. 352, 010; 352.020; 355. 025-355.090 (Vol. 17A, 1966)	3 or more persons through a written articles of agreement may incorporate for a nonprofit educational purpose. Filed with circuit court. Chartered by Sec. of State. Provides for powers.	N.P.	School, college, institute, academy, or other association formed for educational or scientific purposes, including therein any association formed specifically among the learned professions, intellectual culture in any branch or department.	N.P.	N.P.	N.P.
MONTANA Revised Code of Montana, Vol. 4 Part 2, Sec. 75-108, (1962 Replacement) Vol. 2, Part 1, Chap. 23, Sec. 15-2301-15-2397 (1967 Replacement)	Provides for incorporation for any lawful nonprofit purpose; includes articles of incorporation and powers. One or more persons may incorporate. Articles of incorporation filed with Sec. of State. Filing fee, $20.	N.P.	N.P.	N.P.	No person, corporation, association, or institution shall award a degree or literary honors without approval of State Board of Education.	State Board of Ed. shall establish standards for courses and programs for which a degree is to be offered. Legislature at all times has the power to prescribe rules, regulations, and limitations which are binding on all nonprofit corporations.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
NEBRASKA						
Revised Statutes of Nebraska, Sec. 21-1901-21-1906 (Reissue of 1962, Vol. 1A)	Nonprofit corporations may be organized for any lawful purpose, including educational. Provides for powers and articles of incorporation.	N.P.	N.P.	N.P.	N.P.	N.P.
Art. 24, Sec. 79-2401 79-2407 (1967 Cumulative Supplement)	In order to establish a two or four year private college sponsor must petition State Board of Ed. for approval.	State Board of Ed. may provisionally accredit a private college not accredited by any regional accrediting agency. Criteria specified in statute.	Two and four year private colleges.	N.P.	N.P.	State Board of Ed. to establish form a petition and standards for establishment of private colleges.
NEVADA						
Nevada Revised Statutes, Vol. 3, Sec. 81-290-81. 340 (1967)	Any 3 or more persons may file a certificate of incorporation for purposes of nonprofit educational activity. Filed with Sec. of State; fee $1. Provides for articles of incorporation and powers including right of educational corporations to establish and maintain an institution.	N.P.	N.P.	N.P.	N.P.	N.P.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
NEVADA (Continued)						
Vol. 12, Sec. 394.010-394.190	N.P.	A school which is not exempted under Col. 11, Page 110, must, in order to operate, secure a license from State Board of Ed. Application fee, $25. Valid 3 years.	School defined as school, college, university, or other institution offering instruction to 5 or more persons at one time or 25 during a calendar year.	N.P.	Instruction equal to that required in public schools required for private; to be approved by State Board of Ed.	State Board of Ed. sets standards and regulations; investigates proposed schools and maintains list of licensed schools.
Sec. 394.200-394.420		Permits required for soliciting or sale of correspondence courses. Private Business and Trade Schools must apply to state for accreditation and licensing.			Courses provided by private business and trade schools must be accredited.	State Board of Ed. establishes rules and regulations and selects an advisory committee for licensing or accrediting private correspondence, business, and trade schools.
NEW HAMPSHIRE						
New Hampshire Revised Statutes Annotated, Sec. 292:8b-292:8k (1966 Replacement, Vol. 2B; 1967 Supplement, Vol. 2B)	Articles of agreement to organize a corporation for the establishment of a postsecondary institution submitted to attorney general for initial approval. Then forwarded to Coordinating Board (Col. 6) for consent for incorporation. No articles of agreement may be recorded by Sec. of State until consent of Board has been obtained.	N.P.	Higher learning defined as studies more advanced than those offered in a high school and which are creditable toward an academic or professional degree.	No person, school, association, or corporation may use in any way term "junior college", "college", or "university" or any other title suggesting higher education until it is incorporated under terms of this statute. Any corporation or institution organized by special legislative act may not change name until approved by Coordinating Board (Col. 6) prior to filing with Sec. of State.	No educational institution within state may grant degrees unless authorized by legislative act.	Procedures and standards established by Coordinating Board of Advanced Ed. and Accreditation.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
NEW JERSEY						
New Jersey Statutes Annotated, Title 15: Sec. 15:11-9-15:11-15 (1939; 1967 Cumulative Annual Pocket Part); Title 18A: Sec. 18A:67-1-18A:68-13 (1968)	Any 5 or more persons (alumni or trustee or both of any existing private school, whether or not incorporated may become a corporation through this Act for the conduct of any private school. Certificate of incorporation filed with Sec. of State. Provides for powers for educational corporations. Any private school incorporated before March 1922 may incorporate under this statute.	Corporations desiring to furnish instruction or confer degrees must file a certified copy of its certificate of incorporation with Board of Higher Ed. and receive a license from the Board.	See Col. 4.	No educational institution conducted in state may adopt any title containing "New Jersey", "state", "state of New Jersey", or any other expression relating to it and state except public institutions. No institution proposing to offer post-high school courses leading wholly or in part to a college or university degree shall adopt or use any title or name denoting college or university without approval of Board of Higher Ed.	Subject to provisions of statute any college, seminary, or school of theology may give degrees or diplomas. However, no corporation shall furnish instruction or confer degrees until licensed by Board of Higher Ed. No institution or corporation may confer a degree without submitting the basis or conditions to Board for its approval of degree and practice of conferring degrees except medical and dental schools.	Business of education corporation to be con- by 5-15 trustees. Board of Higher Ed. shall adopt rules relating to title or names of institutions and to licensing for degrees.
NEW MEXICO						
New Mexico Statutes Annotated, Art. 14, Sec. 51-14-20-51-14-40. (Vol. 8, Part 1, 1953; 1967 Pocket Supplement)	A nonprofit corporation may be formed for any lawful purpose, including education. A nonprofit corporation previously chartered and valid may continue under existing charter or reincorporate under this statute. Provides for 3 or more incorporators and articles of incorporation and filing with state corporation commission. Filing fee, $5.	N.P.	N.P.	N.P.	All colleges, universities, and institutions now or in the future incorporated under state law are authorized to grant diplomas, confer degrees, and all other literary honors usually conferred by like institutions.	N.P.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
NEW MEXICO (Continued) Laws of 1971, Chaps. 303-304 (instate and out-of-state proprietary schools.)		A proprietary school cannot operate in state without a permit or certificate of approval from State Board of Ed. Applications through Div. of Vocational Ed. Annual application fee maximum, $100. Two years operation in state required before certificate of approval is issued. Soliciting agents must acquire permit. All existing approved state domiciled proprietary schools in operation at time of enactment do not come under the two-year requirement.	Proprietary schools; nonpublic school, academy, etc. offering vocational education in person or by correspondence to persons over compulsory school age.			Div. of Vocational Ed. of State Board of Ed. establishes and files rules and regulations for setting and requiring standards to be met. Board shall establish an advisory committee.
NEW YORK McKinney's Consolidated Laws of New York, Annotated, Title 1, Art. 5, Sec. 201-226 (1953, Book 16, Part 1; 1968 Cumulative Annual Pocket Part).	The Board of Regents* may incorporate any university, college, academy, or any institution or association of education under such name with trustees, powers, privileges, and duties, but subject to limita-	N.P.	All present and future incorporated secondary and higher education institutions in state are included in the university.*	Only chartered degree-granting institutions may use title of "college" or "university" without permission from Regents.	Board of Regents may confer honorary and academic certificates, diplomas, and degrees. No institution shall confer degrees not specifically authorized by charter. No insti-	The Board of Regents* exercise legislative functions concerning the educational system of the state and establish rules to effect the state's law and policies relating to education.

*Board of Regents, University of the State of New York/State Education Department.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
	tions and restrictions as prescribed by Regents. No corporation may establish or maintain any educational institution or work without consent of Regents.				tution or corporation not holding degree-granting powers by special legislative charter or Regents charter shall confer any degree.	
Chap. 123, Laws of 1972.		No correspondence school shall be operated in the state until it is first registered by the Commissioner of Ed. Inspection fee, $50; annual registration fee, $50.	Definition: Any plan or method used by persons, firm, corporation, or other organization giving instruction by correspondence.	N.P.	N.P.	Commissioner of Ed. approves standards for advertising, courses, instruction, contracts, etc., and shall adopt regulations to enforce statute.
Senate Bill 9061-B (awaiting governor's signature, 6-7-72)		No private school which charges tuition and fees shall be operated without a license from the State Education Dept. Licensed annually. All private business schools must be registered by the Dept. annually. Private school agents soliciting students must obtain annual certificates.	Definition: Any entity offering to instruct or teach any subject by any plan or method. Business schools are those preparing persons for an office career.	N.P.	N.P.	Private business schools shall employ only teachers licensed by State Ed. Dept. All schools licensed by this statute are under jurisdiction of the Dept. and subject to standards contained in statute. Regulations to be adopted by Commissioner of Education.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
NORTH CAROLINA General Statutes of North Carolina, Chap. 55A, Sec. 55A-1-55A-88 (1965, Vol. 2B; 1967 Cumulative Supplement)	Any 3 or more persons may organize a nonprofit corporation for any lawful purposes. Articles of incorporation filed with Sec. of State. Any educational association formed before Jan. 1894 and acting as a corporation since then is deemed a valid corporation.	N.P.	N.P.	N.P.	N.P.	N.P.
Chap. 1244, Art. 1, Sec. 116-15 (1971)		Board of Governors* may issue licenses to confer degrees to a nonpublic educational institution established in state after Apr. 15, 1923.	N.P.	N.P.	No nonpublic institution established in state after Apr. 15, 1923 may confer degrees until licensed by Board of Governors.	Board of Governors to establish licensing standards; institution must have adequate faculty and equipment.
NORTH DAKOTA North Dakota Century Code Annotated, Vol. 2, Sec. 10-24-01-10-28-22 (1960;1967 Pocket Supplement)	One or more persons may incorporate a nonprofit corporation for any lawful purpose. Articles of incorporation filed with Sec. of State. Fee, $16. Note: No specific reference to educational corporation contained in Act.	N.P.	N.P.	N.P.	N.P.	N.P.

*Board of Governors, University of North Carolina System.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
OHIO						
Page's Ohio Revised Code, Annotated; Title 17, Sec. 1702. 01-1702.99 (1964; 1967 Supplement)	3 or more persons may form a non-profit corporation for any lawful purpose including educational. Articles of incorporation filed with Sec. of State.	N.P.	N.P.	N.P.	N.P.	N.P.
Sec. 1713.01-1713. 29 (1964; 1967 Supplement)	Provides for incorporation of institutions under religious patronage.	Board of Regents issues certificate of authorization to all nonprofit institutions or corporations after date of act before they may confer degrees. Institutions or corporations established prior to act may apply to Board for copy of certificate. filed with Sec. of State if institution is incorporated.	Any nonprofit university, college, academy, school, or other institution incorporated or unincorporated, offering instruction leading to a degree equivalent to 4 semesters or 6 quarters of post-high school academic work.	No nonprofit institution or corporation established after date of act may use title "college" or "university" until issued a certificate of authorization.	No nonprofit institution or corporation established after date of act may confer degrees or diplomas until issued a certificate of authorization by Board of Regents.	Board of Regents to establish standards for certificate of authorization.
OKLAHOMA						
Oklahoma Statutes Annotated, Title 18, Chap. 14, Sec. 541-550; 571-575 (1953)	Persons associated together for educational purposes may elect not less than 3 or more than 41 trustees or directors and may incorporate themselves. Fee for certificate, $2.	N.P.	N.P.	N.P.	Every corporation having rank of college or university has power to confer all such degrees and honors as conferred by other such institutions in the U.S.	Corporation has power to appoint president and faculty; to prescribe course of study and tuition rates and enforce rules and regulations.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
OKLAHOMA (Continued Title 70, Chap. 50, Sec. 4101-4105 (1966)	Any person(s), group or other entity establishing a private educational institution shall do so only as a corporation organized under state law.	Private educational institution must be accredited by State Regents for Higher Ed. or by regional accrediting agency.	N.P.	N.P.	Private educational institutions may grant only those degrees authorized by State Regents for Higher Ed. unless approved otherwise by regional accrediting agency.	State Regents for Higher Ed. shall prescribe regulations and standards for accreditation.
OREGON Oregon Revised Statutes, Vol. 1, Sec. 61.005-61. 950; 351.710-351.760;351.990 (1967)	Nonprofit corporations may be organized for any lawful purpose. One or more persons 21 years or older may file articles of incorporation with Corporation Commissioner.	N.P.	N.P.	N.P.	No institution of learning shall confer or offer any degree without first obtaining approval of the degree requirements from State Board of Ed. (See Col. 11, Page 115). Misrepresentation of possession of an academic degree is prohibited.	N.P.
PENNSYLVANIA Purdon's Pennsylvania Statutes Annotated; Title 15, Sec. 7201-7211; 7312 (1967)	5 or more persons of full age may form a nonprofit corporation for any lawful purpose; articles of incorporation filed with county court of common pleas. Court to approve charter of incorporation. In case of college, university, or seminary incorpo-	N.P.	N.P.	Corporate name cannot use term "college" or "university"; State Board of Ed. grants certificate allowing use of such name.	No college, university or seminary may be incorporated with power to confer degrees unless it has a minimum endowment and a minimum of 8 faculty (full-time professors). Bachelor degrees are to be awarded for 4-year courses subject to standards of State Board of Education.	Incorporation of college, university, or theological seminary subject to following requirements: amount of assets, minimum number of faculty, admission requirements, courses to be offered must be included in articles of incorporation.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
	ration, State Sec. of Ed. must endorse articles of incorporation before charter is granted.					
RHODE ISLAND General Laws of Rhode Island, Title 7, Chap. 6, Sec. 7-6-1-7-6-16; Title 16, Chap. 40, Sec. 16-40-1 (Vol. 2-3, 1957; 1967 Pocket Supplement—see also, Chap. 49 amended in 1969 to form Board of Regents).	5 or more persons of lawful age may form a corporation for educational purposes by filing articles of association with Sec of State. No institution (Col. 3) may be incorporated or established until Sec. of State receives certification of Board of Regents, over Commissioner of Ed.'s signature.	See Col. 1 for certification by Board of Regents. All private schools offering academic or vocational instruction above the compulsory school age must be registered and approved by Board of Regents.	Academy, college, university, or other institution of secondary or higher education.	N.P.	Charters or articles of association of institutions must specifically indicate power to grant degrees and nature of degrees. No corporation may grant degrees of any kind without this authorization. Amendments to charters relating to purpose or degree-granting authority must be approved by Board of Regents before charter amendment granted.	Under standards set by Board of Regents, institutions desiring incorporation must provide adequate faculty, facilities, and equipment.
SOUTH CAROLINA Code of Laws of South Carolina, Chap. 13, Sec. 12-745—12-765 (Vol. 3, 1962; 1967 Cumulative Supplement)	Sec. of State may issue certificates of incorporation to any nonprofit corporation having no capital stock and organized for any lawful purpose including educational. Charter fee, $3.	N.P.	N.P.	N.P.	N.P.	N.P.

*N.P.: No provision in statute cited.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
SOUTH CAROLINA (Continued)						
Act No. H-1068 of 1971	N.P.	State Board of Ed. may license proprietary schools meeting the standards. Salesmen soliciting students must secure a permit from State Superintendent of Ed. Licenses and permits valid 1 yr. No school may be operated or students solicited without license. Surety bonds required. Schools in operation at time of enactment must secure licenses.	Proprietary school is any person offering resident or correspondence courses to students paying tuition and fees.	N.P.	Licenses are restricted to the program specified in application for license. Additional courses or programs must be approved by State Superintendent of Ed.	State Board of Ed. shall administer the Act and formulate criteria and standards for licensing and for issuing permits to salesmen. Board to adopt rules and regulations and may establish an advisory committee.
SOUTH DAKOTA						
Laws of 1965, Chap. 24: South Dakota Nonprofit Corporation Act.	3 or more persons age 21 or older may form a corporation for any lawful purpose including educational. Articles of incorporation filed with Sec. of State. Filing fee, $20.	N.P.	N.P.	N.P.	N.P.	N.P.
TENNESSEE						
Tennessee Code Annotated, Title 48, Chap. 1-14 (1968 Special Supplement)	General Corporation Act (profit and nonprofit):one or more persons may organize; charters filed with Sec. of State. Note: No specific reference to educational corporations contained in Act.	N.P.	N.P.	N.P.	N.P.	N.P.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction Of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
TEXAS						
Vernon's Civil Statutes of the State of Texas, Art. 1396-2.01; Art. 1302-3.02 Vol. 3 (1962)	Nonprofit corporations may be organized for any lawful purpose, including educational.	N.P.	Definition: academy, college, or university corporations.	N.P.	Directors or trustees of educational corporations may confer degrees.	President and faculty of educational corporations enforce rules and regulations adopted by directors or trustees, which are named in charter. Directors enact bylaws, employe faculty and officers and fix salaries.
House Bill No. 333 (approved 1971); amends Title 2, Education Code by adding Chap. 32.	N.P.	No school shall maintain, advertise, solicit for, or conduct any course of instruction in Texas without first obtaining a certificate of approval from administrator (commissioner or delegate). Certificate valid 1 year. Soliciting representatives of schools must register annually with administrator. Surety bonds required for schools and agents.	Proprietary school: business enterprise operated for profit or nonprofit maintaining or soliciting business in state; courses offered in classroom or by correspondence in business, trade, technical, or industrial occupations.	Name of school may not be similar or like an existing public school in same area.	Courses, curriculum, and instruction must be of adequate quality, content, and length.	Central Education Agency to have jurisdiction and control of schools. Commissioner of Ed. to supervise provisions of act and enforce minimum standards for approval of schools under operating regulations and policies of act. State Board of Ed. to adopt policies, rules and regulations. Proprietary School Advisory Commission created and members specified.
UTAH						
Utah Code Annotated, Title 16, Chap. 6, Sec. 16-6-18-16-6-111 (Vol. 2, 1967 Pocket Supplement.)	One or more persons may form a nonprofit corporation for any lawful purpose including educational. Articles of incorporation filed with Sec. of State. Filing fee, $5.	N.P.	N.P.	N.P.	N.P.	The affairs of a nonprofit corporation shall be managed by a governing board.

STATE	(1) Incorporation/ Chartering	(2) Licensing Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
VERMONT Vermont Statutes Annotated, Title 11, Sec. 101 (Vol. 3, 1958). Title 16, Sec. 148 (Vol. 5, 1968 Cumulative Pocket Supplement).	A corporation may perform any lawful act which is necessary or proper. Articles of association of a corporation engaging in higher education must be accompanied by a certificate of approval of the State Board of Ed.	See Col. 1 and 6.	N.P.	No person operating as a postsecondary education institution with courses satisfying wholly or partially requirements for a college or university degree may use any title descriptive of colleges or universities unless incorporated under provisions of Col. 1.	No corporation, as stated in Col. 1, shall grant a degree of any type unless authorized and certified by State Board of Ed.	State Board of Ed., with advice of Vermont Higher Education Council, shall promulgate rules and regulations providing for certification (Col. 1).
VIRGINIA Code of Virginia, Title 2, Sec. 13.1-201-13.1-234; Title 23, Sec. 23.9 (Vol. 3, 1964; Vol. 5, 1968 Cumulative Supplement)	3 or more persons may organize a nonprofit corporation for any lawful purpose. Articles of incorporation filed with State Corporation Commission. (Note: No reference to education specifically in Title 2: "Non-Stock Corporation" Act)	N.P.	N.P.	N.P.	No educational institution in state may confer any college degree—academic, professional or honorary—until approved by State Council of Higher Education.	N.P.
WASHINGTON Revised Code of Washington, Title 24, Chap. 235, Sec. 24.03.005—24.03.910 (1967 Supplement)	One or more persons may incorporate for any lawful purpose, including educational. Articles of incorporation filed with Sec. of State: Nonprofit only included in Title. Filing fee, $20.	N.P.	N.P.	N.P.	N.P.	Nonprofit corporation shall be managed by a board of directors.

STATE	(1) Incorporation/ Chartering	(2) Licensing/ Accrediting	(3) Types of Institution	(4) Restriction of Use of Titles	(5) Degrees/ Programs	(6) Standards/Rules and Regulations
WEST VIRGINIA West Virginia Code, Chap. 35, Sec. 35-2-4; 35-2-6 (Vol. 11, 1966); Chap. 18, Sec. 18-26-13a (1971)	Authorities of any institution of learning may appoint trustees. Trustees of the institutions shall be a corporation by name and style of trustees and institution. As such corporation they have all privileges and powers of nonprofit corporations.	Board of Regents to make rules and regulations for accreditation of all institutions of higher education in state. No charter may be granted to any institution, association, or organization until condition of conferring degrees has been approved by Board of Regents.	All colleges, universities, and other institutions of higher education in state.	N.P.	No institution of higher education status may confer any degree on any basis until condition of conferring degree is approved in writing by the Board of Regents.	Board of Regents to determine minimum standards for conferring of degrees.
WISCONSIN West's Wisconsin Statutes Annotated, Title 17, Chaps. 181 and 182; Sec. 181.01-181.76; 182.028-182.029 (Vol. 22, 1957; 1968 Cumulative Annual Pocket Part)	One or more persons 21 years or older may form a nonprofit corporation for any lawful purpose. Articles of incorporation filed with Sec. of State.	N.P.	N.P.	N.P.	Corporations (Col. 6) may prescribe and regulate courses and confer such degrees or diplomas as are usually conferred by similar institutions.	Any corporation formed for establishment and maintenance of colleges, universities, etc. shall have power to enact by-laws.
WYOMING Wyoming Statutes, Chap. 8.1 and 9; Sec. 17- 122.1-17-133 (Vol. 5, 1965 Replacement Volume; 1967 Cumulative Supplement).	3 or more persons may incorporate to establish and maintain a college, academy, or other institution for learning, by filing certificate of incorporation with Sec. of State.	N.P.	N.P.	N.P.	Corporations formed under Col. 1 shall confer such degrees and diplomas as are conferred by like institutions.	Educational corporations may adopt by-laws to regulate the management of the institution and for the governing of students.

*N.P.: No provision in statute cited.

LEGAL BASES FOR ESTABLISHMENT AND REGULATION OF PRIVATE INSTITUTIONS AND CORPORATIONS – PART II

STATE	*(7) Financial Requirements*	*(8) Evaluation/ Review*	*(9) Out-of-State Schools/ Correspondence*	*(10) Offenses/ Penalties*	*(11) Exemptions/ Exceptions*	*(12) Other Areas*
ALABAMA Code of Alabama Title 10, Art. 3-4, Sec. 124-138 (1959, Vol. 4)	N.P.	N.P.	N.P.	N.P.	N.P.	Educational (Col. 1, page 66) corporations may (1) be sued; (2) may possess or sell property; (3) may borrow funds or execute bonds; and shall have perpetual existence.
Senate Bill 40 (Approved Dec. 1971)	Adequate space, equipment, instructional material, and instructors required. School must prove financial soundness.	N.P.	Schools providing courses by mail included in terms of the statute. Persons representing out-of-state schools also covered (Col. 2, page 66)	Misrepresentation and false information prohibited. Permits may be revoked as penalty. State Dept. of Ed. may initiate legal action to enforce statute. Appeals allowed. Fines and imprisonment provided.	Exempted are religious schools offering secular programs; courses conducted for employees exclusively; state accredited teacher training schools; all other state accredited schools; colleges offering academic degrees; law and medical schools where state licensing is required.	Student records must be maintained. Advisory committees may be established by State Board of Ed.
ALASKA Alaska Statutes, Title 14, Sec. 14.47.010—14. 47.140 (1966)	N.P.	N.P.	N.P.	State Dept. of Ed. may investigate violations of requirements (Col. 5, page 66) and may order stop of conferring of diplomas. Violation of stop order provides for fine and imprisonment. Hearings and penalties provided for misuse of titles of schools.	Public schools; schools chartered, licensed, regulated, or approved by state or US (with provisions); schools regionally accredited or USOE approved; religious instruction.	

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
Alaska Statutes, Title 10, Sec. 10.20. 005—10.20.620 (1968)	N.P.	Annual reports must be filed by corporations (Col. 1, Page 67).	N.P.	Penalty provided for failure to file annual report	N.P.	Corporations (Col. 1, Page 67) may hold and sell property, be perpetual, and transact business as specified by its articles of incorporation.
ARIZONA						
Arizona Revised Statutes, Vol. 3 (1956)	N.P.	Revised. See 1967 Cumulative Pocket Part.	N.P.	Revised. See 1967 Cumulative Pocket Part.	N.P.	
1967 Cumulative Pocket Part, Vol. 3		Provides for filing of annual report. Filing fee $5.		Provides for penalty upon failure to file annual report.		
ARKANSAS						
Arkansas Statutes Annotated, Sec. 64-1401-64-1415, Vol. 6 (1966 Replacement)	N.P.	N.P.	N.P.	Provides for penalties re violation of degree restrictions. (Col. 5, Page 67). State Board of Ed. may revoke charter of institutions conferring degrees or diplomas in violation of state laws or without sufficient work required. Provides penalties for violation of liquor and gaming laws. (Col. 12)	N.P.	Perpetual succession of institution unless specified in charter. Governing powers of trustees may be delegated to institution's president and faculty. Prohibits selling of liquor or gaming within 3 miles of institution.
CALIFORNIA						
West's Annotated California Codes, Vol. 28-A, Sec. 29001-29007 (1960)	Revised. See 1968 Cumulative Pocket Part.	N.P.	N.P.	Penalties provided for violation of the Code.	N.P.	

*N.P.: No provision in statute cited.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
CALIFORNIA (Continued) 1967 and 1968 Cumulative Pocket Part (sections amended between 1960 and 1967 not available).	See requirement (3) re degrees (Col. 5, Page 68).	Evaluation and review of faculty, facilities, and curriculum required for approval of degrees and diplomas by State Superintendent.	No correspondence courses may be solicited or sold in state unless a valid permit is issued by State Board of Ed. which may delegate this authority to State Superintendent. Permits are valid one calendar year. Fee, $15, renewal fee $10. Bonding required.	Correspondence course permits may be revoked or suspended for fraud or misrepresentation.	High school graduation not a prerequisite for post-high school study. (Col. 5, Page 68). 3 and 4 year accredited law schools exempted degree requirements (1-3), Col. 5, Page 68).	
COLORADO Colorado Revised Statutes, Chap. 31, Art. 20, Sec. 31-20-1-31-20-7 (Vol. 2, 1963; Art. 31-20-1 revised 1967)	N.P.	N.P.	N.P.	N.P.	Any religious, benevolent, or educational corporation electing to accept provisions of Chap. 31, Art. 24 is exempted.	
Colorado Revised Statutes, Chap. 31, Art. 24, Sec. 31-24-1-31-24-110 (Vol. 10, 1967)	N.P.	Annual reports of nonprofit corporations must be filed with secretary of state.	N.P.	Secretary of state may declare nonprofit corporations inoperative upon failure to file annual reports for 2 consecutive years. Penalty fee, $10. Other penalties may be imposed.	N.P.	
Colorado Revised Statutes, Chap. 124, Art. 21, 1965 (degree regulation)	N.P.	N.P.	Statute covers any school doing business in state.	Violation of statute (Col. 5, Page 70) punishable by fine and/or imprisonment.	State 2 and 4 year colleges and universities; private institutions offering courses acceptable or transferable by an accredited college or university; tax-exempt seminaries or bible colleges.	

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
Colorado Revised Statutes, Chap. 146, Art. 3, 1966, amended 1967 (proprietary schools)	Adequate faculty and facilities are prescribed for certificate of approval; also, financial reliability must be proven.	State Board (Col. 6, Page 70) has power to investigate, appraise, and evaluate.	Those described under Col. 3, Page 70, include those doing business in state and correspondence courses.	Statutes provides for claims to be filed for fraud or misrepresentation. Violation of rules under Col. 3, Page 70, deemed a misdemeanor and punishment provided. Permits and certificates of approval may be revoked.	Public institutions; parochial or eleemosynary schools; nonvocational programs; employee only courses ; courses sponsored by trade organizations; private colleges and universities offering degrees and a majority of whose credits are transferable to a Colorado public institution; schools state regulated and licensed.	Certificate of approval cannot be granted if discrimination exists; suspension of operation for same cause included; advisory committee of 9 members created by statute.
CONNECTICUT						
Connecticut General Statutes Annotated, Vol. 5A, Sec. 10-330-10-331, 1967 (Sec. 10-330 (d) amended 1968)	Finance, plant, equipment, etc., must be included in regulations (Col. 6, Page 70).	The Commission for Higher Education shall not grant new licenses or accreditation until report of evaluation is received (see Col. 2, Page 70).	N.P.	Violations of statute punishable by maximum fine of $1,000.	Institutions authorized to grant degrees and accredited in accordance with law prior to July 1, 1965, continue in effect.	Advisory council for accreditation provided for. (See Col. 2, Page 70).
DELAWARE						
Delaware Code, Title 8, General Corporation Law, as amended by Senate Bill 123, 1967 Laws	(See Col. 1, Page 71 for note on educational institutions.)	N.P.	N.P.	N.P.	N.P.	
FLORIDA						
Florida Statutes Annotated, 1968 Cumulative Pocket Part, Vol. 18, Sec. 617.01-617.021.	(See Col. 1, Page 71).	N.P.	N.P.	N.P.	N.P.	

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
FLORIDA (Continued) Florida Statutes Chap. 246, Sec. 246-011—246141 (1971, amended in House Bill 3117, 1972)	N.P.	Annual reports required of the State Board of Independent Colleges and Universities.	Out-of-state institutions operating in state and correspondence courses included in provisions of statute.	Licenses may be revoked or suspended by State Board of Independent Colleges and Universities for cause. Board may obtain an injunction for violation of law. Violations constitute a misdemeanor.	Excluded from provisions of Chapter; public institutions; colleges licensed or approved under prior chapters of state law; accredited colleges; employee related classes; labor union courses.	
GEORGIA Georgia Code Annotated, 1968 Special Supplement, Title 22, Sec. 22-2201-22-2702; 22-3301	N.P.	Annual reports to be filed with Secretary of State. Filing fee, $5. Secretary of State authorized to conduct interrogations.	N.P.	Penalty for failure to file annual reports, $50 per year. Failure to comply with interrogations (Col. 8) $500.	N.P.	
HAWAII Revised Laws of Hawaii, Title 23, Sec. 172-1-172-23 (1955, Vol. II, revised, 1965 Supplement, pp. 794-803).	(See Col. 1, Page 73).	N.P.	N.P.	N.P.	N.P.	
IDAHO Idaho Code, Chap. 39, Sec. 33-3901-33-3910, Vol. 6-A, 1963 (revised Sec. 33-3903, 1967 Cumulative Pocket Supplement)	N.P.	N.P.	N.P.	N.P.	N.P.	

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
ILLINOIS Smith-Hurd Illinois Annotated Statutes, Chap. 144, Sec. 1-17, 231-242, 1964.	Law requires the maintenance of physical facilities suitable and sufficient to the giving of programs of instruction of degree caliber.	Authorized representative of Superintendent of Public Instruction may inspect any institution.	Out-of-state and foreign corporations operating institutions in state must be approved by Superintendent of Public Instruction.	Failure to grant inspection (Col. 8) may result in invalidation of notice or revocation of same (see Col. 5, Page 74). False information and/or misrepresentation punishable by fine and/or imprisonment.	Any school or educational institution regulated or approved under existing acts are exempted.	Scholastic records of students must be deposited with state upon institution of learning's dissolution. Statute creates an office of chancellor in all universities of learning not under state control. No institution of learning may be removed from state unless by unanimous trustees vote. Number of trustees of institutions owning no capital stock may be increased by resolution filed with Secretary of State.
INDIANA Burn's Indiana Statutes, Chap. 32, Sec. 25-3201-25-3245 (1960)	Statement of incorporation must contain amount of endowment and amount donated or subscribed.	N.P.	N.P.	N.P.	State aided institutions.	
Public Law 313, Amendment to Indiana Code 1971, 20-1; adds new Chap. 19, Sec. 1-23 (Chap. 19 amended by House Engrossed Act 1149, 1971)	The private school required to prove a sound financial structure with sufficient resources for support.	Statute provides for evaluation before accreditation and continued compliance thereafter.	Includes study at home or by mail.	Accreditation may be revoked for cause; may be suspended for enrollment refusal or discrimination; violation of statute punishable by fine and/or imprisonment.	Exempted are any schools established by law and financed wholly or partially by public funds or any state approved or regulated school; business courses for employees only.	A valid license or approval or other form of accreditation issued by another state may be accepted, in lieu of inspection, if requirements of this statute are met and that the state

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STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
INDIANA (Continued)						will extend reciprocity to private schools accredited by the Commission. (Col 6, Page 76)
IOWA Iowa Code Annotated, Chap. 504, Sec 504-1-504.25 (1949; amended in 1968 Cumulative Pocket Part, Vol. 28)	N.P.	N.P.	N.P.	Violation of degree requirements (Col. 5, Page 77) punishable by fine and/or imprisonment.	N.P.	Any corporation of an academic nature may hold annual meeting in any other state.
KANSAS Kansas Annotated Statutes, Vol. 2, Art. 14, Sec. 17-1401-17-1407, 1964	The directors shall not contract debts beyond the means of the corporation.	N.P.	N.P.	N.P.	N.P.	Educational operations may procure such land and facilities as necessary for operation, and may convert property into stock or scholarships. Corporation may change name, location, or purpose of institution from that in charter, and may increase or decrease number of directors.
Sec. 17-2901-17-2904 (1964)	Nonprofit corporation may or may not have capital stock.					

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
KENTUCKY Kentucky Revised Statutes, Vol. II Chap. 273, Sec. 273. 070, 273.080, 273. 161-273.273 (1968 Supplement)	Holding or issuing of stock by corporation prohibited.	N.P.	N.P.	N.P.	N.P.	Incorporated college or university may establish adjunct schools and colleges in the state. Governing body may govern and control same as parent institution.
Senate Bill 315 (Enacted; effective June 16, 1972)	Standards re faculty curriculum, facilities, student cost, and capacity to fulfill objections must be met.	N.P.	N.P.	N.P.	Excluded from Act: public institutions, institutions licensed under state statutory authority (barber, beautician, business, nursing).	If Act, or any part, is declared unconstitutional, the application thereof is held invalid.
LOUISIANA Louisiana Revised Statutes, Vol. 13 and 13-A, Sec. 17: 2051-2052; 17:411 17-20 (1963)	N.P.	N.P.	Out-of-state institutions included in Attorney General opinion (Col. 1, Page 8).	N.P.	N.P.	13 individual institutions authorized by name and function under statute. (see also certification of teachers under Col. 6, Page 78). Attorney general, when called upon by State Superintendent or Board of Ed. or any parish superintendent, shall give an opinion regarding any controversy affecting schools.

*N.P.: No provision in statute cited.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
MAINE Maine Revised Statutes Annotated, 1968-69 Cumulative Pocket Supplement, Vol. 11, Chap. 301, Sec. 20: 2202-20: 2204	State Board of Ed., in a report to legislature, shall indicate the adequacy of the institution's financial resources.	State Board of Ed. required to review, evaluate, and report on applying institutions (Col. 2, Page 79).	N.P.	Anybody or institution offering or conferring degrees without authorization shall be punished by fine and/or imprisonment.	Exempted from law: institutions authorized by legislature to grant degrees, or institutions in operation prior to 1-1-57.	Upon an institution's ceasing to exist or function, the trustees or officers shall deposit all student records with State Dept. of Ed.
MARYLAND Annotated Code of Maryland, Art. 77, Chap. 3, Sec. 25 (b-e), 25A; Chap. 32-33, Sec. 305-314 (Vol. 7, 1965); 1967 Cumulative Supplement, Sec. 25(a).	N.P.	Any school or educational institution shall be open to inspection by the State Superintendent of Education at all reasonable times.	See Col. 2, Page 80, re solicitors for out-of-state schools. Any organization or entity not qualifying as a degree-granting institution because of lack of instruction in residence may qualify upon approval of State Dept. of Ed.	State Board of Ed. may revoke certificate of operating approval for cause. Violation of statute and rules and regulations under Col. 6, Page 80, punishable by fine of $50-$100. Failure to comply with discontinuance provision (Col. 12) punishable by fine of $100—$1,000.	Exempted: schools operated by bona fide church organizations; institutions now operating under state charter, and accredited institutions. Also employee programs for which no fee is charged.	Appeal re denial or revocation of certificate provided for in statute. Upon discontinuance of operations of any nonpublic school or college in the state, the chief admin. officer shall fill all student records with State Superintendent of Education.
MASSACHUSETTS Genderal Laws of Massachusetts, Chap. 69, Sec. 30-31, Chap. 266, Sec. 89 (1965)	Financial organization of institutions filing articles of amendment must be investigated.	Board of Higher Ed. to make periodic inspections within the 12 years next following approval of certificate of organization or articles of amendment.	N.P.	Institutions not complying with standards (Col. 6, Page 80) may have their power to grant degrees revoked. Falsely pretending to hold a degree or to have been a faculty member or officer of any educational institution in state	Proposed junior colleges or institutions desiring to obtain authority to grant junior college degrees must first incorporate without a junior college name or degree authority and must operate as	

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
				punishable by fine and/or imprisonment. Conferring degrees or using titles without authority (Col. 1, Page 80) also punishable by fine and or imprisonment.	nonprofit institutions for at least one year before filing for articles of amendment for associate degree authority or use of junior college name.	
Chapter 74, Sec. 37A (1967)	Upon approval of plans (Col. 2, Page 81) public funds may be appropriated.				Not applicable to Board of Regional Community Colleges or to any regional community college.	
MICHIGAN Michigan Compiled Laws, Annotated; Chap. 450, Sec. 450 170-450.177 (Vol. 25, 1967)	Educational Corporations classified: 1)Capital of not less than $500,000; 2) Capital not less than $100,000 and less than $500,000; 3) Capital of $1 million or more. Before incorporation at least 50% of capital must be paid in or reduced to possession. Guaranteed annual income may be treated as credit.	Every educational corporation established by this act must be inspected every 3 years by State Board of Ed. and a report must be published. Corporation to file annual report with State Board.	N.P.	Violation or misuse of titles (Col. 4, Page 81)subject to prosecution. Failure to comply with statutory provision subject to corporation dissolution.		

*N.P.: No provision in statute cited.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
MICHIGAN (Continued) Compiled Laws of 1948, Vol. 2, Art. 148, 1943; Sec. 395. 101-395.103				Licenses for private trade schools and institutes may be revoked for cause by State Board of Ed. Violation of provisions of statute punishable by fine and/or imprisonment.	Schools licensed by law by other state boards; nonprofit instruction for employees.	
MINNESOTA Minnesota Statutes Annotated, Chap. 317, Sec. 317.01-317.69 (1967 Cumulative Annual Pocket Part, Vol. 20)	N.P.	N.P.	N.P.	N.P.	N.P.	
Chap. 21, Sec. 121.18 (1960 Cumulative Pocket Part, Vol. 10)	N.P.	Every incorporated college or seminary is subject to visitation and examination by Commissioner of Ed. and must submit an annual report to Commissioner.	N.P.	N.P.	N.P.	
MISSISSIPPI Mississippi Code Annotated, Title 21, Sec. 5310.1; 5319-5324 (1966 Cumulative Supplement, Vol. 4A)	N.P.	Attorney General may investigate before issuance of nonprofit charters of incorporation.	Corporation must maintain an office of resident agent in a county of state in order to operate.	N.P.		

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
Title 24, Art. 13, Sec 6791.5 (1966 Cumulative Supplement, Vol. 5)					Exempted from Act: private commercial schools and colleges.	One private college representative and one from the state association of colleges must serve on the Commission on College Accreditation.
MISSOURI Vernon's Annotated Missouri Statutes, Title 23, Sec. 352 010;352.020;355. 025-355.090 (Vol. 17A, 1966)	Nonprofit corporations shall not have or issue shares of stock.	N.P.	N.P.	N.P.	N.P.	
MONTANA Revised Code of Montana, Vol. 4, Part 2, Sec. 75-108 (1962 Replacement) Vol. 2, Part 1, Chap. 23, Sec. 15-2301-15-2397 (1967 Replacement)	Nonprofit corporation shall not have or issue shares of stock.	Annual reports must be filed with Sec. of State.	N.P.	Violation of Col 5 Page 84, termed a misdemeanor. Failure to file annual report subject to maximum fine of $500.	(Re Col. 5, Page 84) any institution accredited by a recognized accrediting agency is exempted.	
NEBRASKA Revised Statutes of Nebraska, Sec. 21-1901-21-1906 (Reissue of 1962, Vol. 1A)	N.P.	N.P.	N.P.	N.P.	N.P.	Nonprofit corporations may maintain property for use by educational institutions.

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STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
NEBRASKA (Continued) Art. 24, Sec. 79-2401-79-2407 (1967 Cumulative Supplement)	Financial soundness and capability to fulfill its proposed commitment required before establishment (Col. 1, Page 85).	N.P.	N.P.	N.P.	N.P.	
NEVADA Nevada Revised Statutes, Vol. 3, Sec. 81.290-81.340 (1967)	N.P.	N.P.	N.P.	N.P.	N.P.	Educational corporations may charge fees and to receive and use funds and fees for support of institution.
Vol. 12, Sec. 394.010-394.190	Financial stability required for license (Col. 2, Page 86).	State Board of Ed. investigates and periodically inspects schools licensed under Act. Reports to be furnished upon request of State Superintendent.		State Board of Ed. may revoke license because of violation of statute, misinformation or misrepresentation, or refusal to submit to inspection. Disruption or trespass subject to penalties.	Exempted: Public schools; schools operated by religious organizations; course for which no fee is charged; accredited business schools; state licensed beauty schools; schools offering certificates of completion only.	With exception of foreign languages, all subjects to be taught in English. All private institutions must give 1 year of instruction on U.S. and Nevada constitutions.
Sec. 394.200-394.420	N.P.	State Board of Ed. to inspect private business and trade schools.	Permits required for soliciting or sale of correspondence courses of schools located within state or out-of-state	Penalties provided for violation of Act.		

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
NEW HAMPSHIRE New Hampshire Revised Statutes Annotated, Sec. 292: 8-b-292:8-k (1966 Replacement, Vol. 2B; 1967 Supplement, Vol. 2B)	Adequacy of financial resources must be considered in evaluation (Col. 8).	Plans for proposed higher ed. institutions must be evaluated prior to granting of certificate by Coordinating Board of Advanced Ed. & Accreditation.	N.P.	Persons violating title and degree provisions of statute (Col. 4-5, Page 86) punished by maximum fine of $500. Court injunction also provided for.	Provisions for titles and degrees (Col. 4-5, Page 86) not applicable to institutions authorized prior to Jan. 1965. Public institutions placed by legislature under authority of State Board of Ed. also exempted from degree limitations.	
NEW JERSEY New Jersey Statutes Annotated, Title 15: Sec. 15:11-9-15:11-15 (1939; 1967 Cumulative Annual Pocket Part); Title 18A, Sec. 18A:67-1-18A:68-13 (1968)	No organization organized under Title 15 shall hold capital stock but may charge tuition.	All corporations formed under Title 15 must file annual reports with Sec. of State.	N.P.	Any license issued under Title 18A may be revoked by the Board of Higher Ed. Any corporation giving instruction or conferring degrees without a license may be liable to court action to restrain such activities. Approval by Board of grade of a degree may be revoked. Penalties of up to $300 for each offense.	Institutions or corporations founded before April 1887 exempted from Title 18A. Medical schools must be licensed by State Board of Medical Examiners.	
NEW MEXICO New Mexico Statutes Annotated, Art. 14, Sec. 51-14-20-51-14-40 (vol. 8, Part 1, 1953; 1967 Pocket Supplement)	Corporations formed under this act may have no capital stock nor pay a franchise tax.	Annual reports to state corporation commission required of non-profit corporations.	N.P.	Failure to submit annual report results in forfeit in rights to conduct its affairs and dissolvement.	N.P.	

*N.P.: No provision in statute cited.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
NEW MEXICO (Continued) Laws of 1971, Chap. 303-304 (instate and out-of-state proprietary schools)	Surety bond required annually for domiciled schools; continuous for out-of-state.	Survey of the proprietary school to be made of Div. of Occupational Education.	Chap. 304 regulates publicizing, selling and courses of instruction by out-of-state proprietary schools. Both acts include correspondence courses. (See Col. 2, Page 88) Application fee for out-of-state schools, $50 annual.	Violation of the laws termed a misdemeanor. Fraud, deception, or misrepresentation punishable by suspension or revocation of permit.	Chap. 303: public vocational schools or institutes; schools accredited under any occupational licensing law; employee education; degree-granting college or university; nationally or regionally accredited institutions.	
NEW YORK McKinney's Consolidated Laws of New York Annotated, Title 1, Art. 5, Sec. 201-226 (1953, Book 16, Part 1; 1968 Cumulative Annual Pocket Part)	No institution shall be chartered to give degrees unless it has at least $500,000 in resources, and non shall be incorporated until suitable educational equipment and proper maintenance have been approved by the Board of Regents.*	Regents or Commissioner of Ed. may visit, examine into, and inspect any institution or university (Col. 3, Page 88), or any institution under supervision of the state, and may require reports.	N.P.	Regents may suspend charter, rights, and privileges of any institution refusing to make requested reports or violation of university rule and law. The Regents may at any time, for sufficient cause, change the name, or alter, suspend, revoke the charter or incorporation of any institution chartered or incorporated by them or by a general law. Misuse of advertising of degrees and falsely representing one's self a degree holder is a misdemeanor.	No institutions or associations incorporated under this statute may be incorporated under any other law except by consent of the Commissioner of Education.	Board of Regents supervises entrance regulations, licensing, and practicing of medicine, dentistry, all other health-related areas, architecture, veterinary medicine, and any other profession. Also regents may, upon satisfactory evidence, endorse a license from another state. In order to qualify for the state aid to private institutions program, an institution must be incorporated by the Regents or legislature.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
Chap. 123, Laws of 1972	Schools must furnish proof to Commissioner of Ed. of financial responsibility.	Each registrant required to make annual financial and statistical report.	Requires correspondence schools to be registered (Col. 2, Page 89).	Registration may be suspended or revoked if the law and rules or regulations are not complied with.		
Senate Bill 9061-B (awaiting governor's signature, 6-7-72)	Private schools must have resources, beyond debts, of at least $20,000.	Annual financial and statistical reports may be required.	N.P.	Commissioner of Ed. may take disciplinary action against any school authorized to operate under this statute.	(Col. 2, Page 89) Exempt from law: degree-granting institutions, public schools, handicapped training, nonprofit employee courses, schools licensed, registered, approved under other laws or state depts.	
NORTH CAROLINA						
General Statutes of North Carolina, Chap. 55A, Sec. 55A-1-55A-88 (1965, Vol. 2B; 1967 Cumulative Supplement)	A nonprofit corporation shall not have or issue shares of stock.	N.P.	N.P.	N.P.	N.P.	
Chap. 1244, Art. 1, Sec. 116-15 (1971)	N.P.	Board of Governors* empowered to make such evaluations as deemed necessary.	N.P.	Board of Governors to call to attention of attorney general for action any institution failing to comply with statute. License may be revoked if standards not met. (Col. 2, Page 90)	State Board of Ed. has sole authority, including degree regulation, over the system of community colleges, technical institutes, and industrial education centers.	

*N.P.: No provision in statute cited.

*Board of Governors, University of North Carolina System.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
NORTH DAKOTA North Dakota Century Code Annotated, Vol. 2, Sec. 10-24-01-10-28-22 (1960; 1967 Pocket Supplement)	(See Col. 1, Page 90)	N.P.	N.P.	N.P.	N.P.	
OHIO Page's Ohio Revised Code, Annotated Title 17, Sec. 1702.01-1702.99 (1964; 1967 Supplement)	(See Col. 1, Page 91)	N.P.	N.P.	N.P.	N.P.	
Sec. 1713.01-1713.29 (1964; 1967 Supplement)	Adequate facilities included in Board of Regents standards.	N.P.	N.P.	Certificate of authorization subject to revocation by Board of Regents for cause. Any institution conferring degree without authorization may be restrained by court order.	N.P.	Written notice to Board of Regents required before institution changes location, name, or purpose.
OKLAHOMA Oklahoma Statutes Annotated, Title 18, Chap. 14, Sec. 541-550; 571-575 (1953)	All funds collected and proceeds of property must be applied to maintaining the institution.	N.P.	N.P.	N.P.	N.P.	Educational corporations may engage in business. The corporation must hold property of its institution of learning solely for the purposes of education.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
Title 70, Chap. 50, Sec. 4101-4105 (1966)	N.P.	N.P.	N.P.	N.P.	Statute does not apply to existing institutions at time of enactment if accredited as provided in Col. 2, Page 92.	
OREGON Oregon Revised Statutes, Vol. 1, Sec. 61.005-61.950; 351.710-351.760; 351.990 (1967)	Nonprofit corporation shall not have or issue shares of stock.	Annual reports of nonprofit corporations must be filed with corporation commissioner. Failure to file penalty, $5. State Board of Ed. may require information from and inspection of institutions of learning.	N.P.	State Board of Ed. may revoke degree approval for cause and for failure to keep up the required standards.	Exempted from degree requirements (Col. 5, Page 92): institutions conferring degrees for 15 years prior to Mar. 1935; public institutions; regional accrediting agency's members; schools conferring medical, optometry, and theology degrees.	
PENNSYLVANIA Purdon's Pennsylvania Statutes Annotated, Title 15, Sec. 7201-7211; 7312 (1967)	A minimum protective endowment of $500,000 is required for incorporation of a college, university, or seminary.	Sec. of Education may visit and inspect educational corporations.	N.P.	Any corporation failing to comply with standards of act may have its power to confer degrees revoked by court as recommended by Sec. of Education.	N.P.	

* N.P.: No provision in statute cited.

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RHODE ISLAND General Laws of Rhode Island, Title 7, Chap. 6, Sec. 7-6-1-7-6-16; Title 16, Chap. 40, Sec. 16-40-1-16-40-13 (Vol. 2-3, 1957; 1967 Pocket Supplement.)	See Col. 6, Page 93.	Biennial reports of nonprofit corporations must be filed with Sec. of State. All private institutions must be registered with the Board of Regents and report annually to board.	See Col. 2, Page 93.	Provides for forfeiture of charter or articles of incorporation upon failure to submit biennial reports over a period of 4 years. Degree granting approval may be revoked for cause by Board of Regents. Violation of statute liable for a penalty of $300 and forfeiture of charter.	Exempted are public schools, and any institution established and conducted for 10 years prior April, 1932 and any institution established by special legislative act.	
SOUTH CAROLINA Code of Laws of South Carolina, Chap. 13, Sec. 12-745-12-765 (Vol. 3, 1962; 1967 Cumulative Supplement)	See Col. 1, Page 93.	Attorney General may investigate the organization, conduct, and management of any nonprofit corporation.	N.P.	Refusal to allow investigation (Col. 8) may result in forfeiture or cancellation of charter.	N.P.	
Act No. H-1068 of 1971	Financial stability and adequate facilities included in standards for licensing proprietary schools.	State Board of Ed. to investigate proprietary schools applying for license.	Correspondence courses included under provisions of act. (Col. 3, Page 94)	State Board of Ed. may suspend or revoke a license or permit for cause. Violation of provisions of Act is a misdemeanor; punishable by fine or imprisonment.	Except public institutions; parochial schools and members of the state Independent School Assn.; employee courses; private degree-granting institutions; state regulated and licensed schools.	All contracts, promissary notes, indebtedness, etc. are void if schools are not licensed.

STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
SOUTH DAKOTA Laws of 1965, Chap. 24: South Dakota Nonprofit Corporation Act.	Nonprofit corporations may not have or issue shares of stock.	Annual reports to be filed with Sec. of State.	N.P.	Failure to file annual report subject to penalty of $50. Failure to answer interrogatories a misdemeanor; fine, up to $500.	N.P.	
TENNESSEE Tennessee Code Annotated, Title 48, Chap. 1-14 (1968 Special Supplement)	See Col. 1, Page 94.	N.P.	N.P.	N.P.	N.P.	
TEXAS Vernon's Civil Statutes of the State of Texas, Art. 1396-2.01; Art. 1302-3.02; Vol. 3 (1962)	See Col. 1, Page 95.	N.P.	N.P.	N.P.	N.P.	
House Bill No. 333 (approved 1971). Amends Title 2, Education Code by adding Chap. 32	Before approval, school must prove financial soundness and capabilities to fulfill its commitments.	See Col. 6, Page 95.	Schools soliciting business within Texas and correspondence schools included in statute. Schools domiciled out-of state must have a registered representative (Col. 2, Page 95).	Certificates of approval (Col. 2, Page 95) may be revoked or suspended for cause or for violation of statute. Operation of schools without approval deemed a misdemeanor, punishable by maximum fine of $500.	Exempt from statute: public institutions; nonprofit religious, etc., institutions; employees courses; private degree-granting institutions providing transfer credits; state regulated and approved schools	Contracts entered into without certificate of approval are not enforceable.

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STATE	(7) Financial Requirements	(8) Evaluation/ Review	(9) Out-of-State Schools/ Correspondence	(10) Offenses/ Penalties	(11) Exemptions/ Exceptions	(12) Other Areas
UTAH Utah Code Annotated, Title 16, Chap. 6, Sec. 16-6-18—16-6-111 (Vol. 2, 1967 Pocket Supplement)	N.P.	Annual reports of nonprofit corporations filed with Sec. of State.	N.P.	Failure to file annual report may result in suspension or forfeiture of corporation charter.	N.P.	
VERMONT Vermont Statutes Annotated, Title 11, Sec. 101 (Vol. 3, 1958); Title 16, Sec. 148 (Vol. 5, 1968 Cumulative Pocket Supplement).	N.P.	N.P.	N.P.	N.P.	Title and degree restrictions in Act (Col. 4-5, Page 96) do not apply to institutions existing on effective date of act. Exempted: institutions in state chartered in another state and regionally accredited.	
VIRGINIA Code of Virginia, Title 2, Sec. 13.1-201-13.1-234; Title 23, Sec. 23-9 (Vol. 3 1964; Vol. 5, 1968 Cumulative Supplement)	N.P.	N.P.	N.P.	Violations of degree restrictions, Col. 5, Page 96, punishable by fines from $100 to $1,000.	Exempted from degree restrictions: any institution *accredited (or have* applications for such pending) by State Board of Ed. prior to 7-1-68 or any institution specifically authorized by legislative act. (Col. 5, Page 96)	
WASHINGTON Revised Code of Washington, Title 24, Chap. 235, Sec. 24.03. 005-24.03.910 (1967 Supplement).	Nonprofit corporations shall not have or issue shares of stock.	Nonprofit corporations must file annual reports with Sec. of State.	N.P.	Penalties provided for failure to file annual report or answer interrogations.	N.P.	

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WEST VIRGINIA West Virginia Code, Chap. 18, Sec. 18-26-13a (1971)	(See also Col. 1 Page 97)	N.P.	N.P	N.P.	Nothing in statute shall infringe upon rights granted to any institution by charter given prior to 1971.	
WISCONSIN West's Wisconsin Statutes Annotated, Title 17, Chap. 181-182; Sec. 181.01-181.76; 182.028-182.029 (Vol. 22, 1957; 1968 Cumulative Annual Pocket Part.)	Nonprofit corporations shall not have or issue shares of stock.	N.P.	N.P.	N.P.	N.P.	
WYOMING Wyoming Statutes, Chap. 8.1 and 9; Sec. 17-122.1-17-133 (Vol. 5, 1965 Replacement Volume; 1967 Cumulative Supplement.)	See Col. 1, Page 97.	N.P.	N.P.	N.P.	N.P.	

N.P.: No provision in statute cited.

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